

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AXA GENERAL INSURANCE HONG KONG
LIMITED,

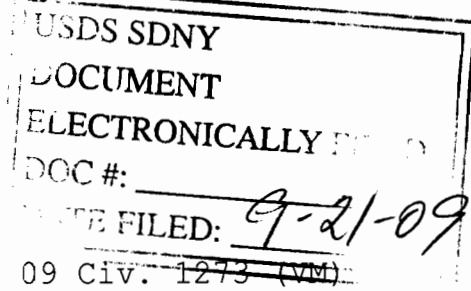
Plaintiff,

- against -

PT. HANISAKITA PERSADA,

Defendant.
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VICTOR MARRERO, United States District Judge.



CONDITIONAL
ORDER OF DISCONTINUANCE

Counsel for plaintiff, on behalf of the parties, having notified the Court, by letter dated September 18, 2009, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity

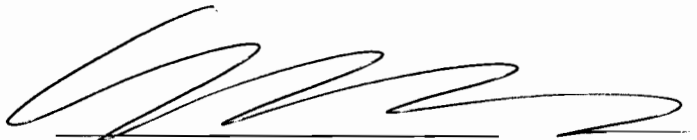
of additional process, on a date within thirty days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court scheduled in this action are canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
19 September 2009



VICTOR MARRERO
U.S.D.J.

CLYDE & Co

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September 18, 2009

Via Facsimile: (212) 805-6382

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: AXA General Insurance Hong Kong Limited v. Pt. Hanisakita Persada
Index No.: 09 CV 1273
Clyde & Co. Ref: CC/0810482/001

Dear Judge Marrero:

We represent the plaintiff in this "Rule B" litigation. I am writing to provide the Court an update on the status of this matter.

The parties have negotiated a settlement of the claims in the underlying litigation being conducted in Jakarta, Indonesia, and are in the process of finalizing the written settlement documents. To date, we have attached a total of \$35,933.33 pursuant to the writ of maritime attachment issued in this case. Those attached funds will be used to fund a portion of the settlement. We anticipate that within the next two weeks we will be in a position to submit an Order for the Court's consideration providing for the turnover of the attached funds and the dismissal of this litigation.

Respectfully,



Christopher Carlsen

CC/mv